# TABLE OF CONTENTS
**IV#2201528**

## VOLUME I

**PERSONNEL INVESTIGATION FORM**

**INVESTIGATIVE SUMMARY**



**EXHIBITS**



**MISCELLANEOUS DOCUMENTS**



## VOLUME II

**INTERNAL AFFAIRS BUREAU**
**INVESTIGATIVE SUMMARY**
**IAB #IV2201528**

| | |
|---|---|
| **Subjects:** | **Titel, Joshua [redacted], Deputy Sheriff**<br>**Richards, Brian [redacted] Deputy Sheriff**<br>**Correctional Services Division - Inmate Reception Center** |
| **Date:** | **June 24, 2007 (Sunday)** |
| **Time:** | **0100 hours** |
| **Location:** | [redacted] |

**Allegations:**

On June 24, 2007, Subjects Joshua Titel and Brian Richards were involved in an incident which resulted in their arrest for felony assault. It is alleged that they violated Manual of Policy and Procedures sections 3-01/030.10 Obedience to Laws, Regulations, and Orders, and 3-01/030.05 General Behavior.

**SYNOPSIS:**

On June 23, 2007, Subjects Titel and Richards attended two social gatherings. One of the gatherings was at the home of Witness Lieutenant [redacted]. The other was at the home of Witness Sergeant [redacted]. Alcoholic beverages were served at both locations. Both Subjects, as well as other guests, consumed alcoholic beverages at each location.

Subjects Titel and Richards left Witness [redacted] home accompanied by Witness [redacted], Witness [redacted] and Witness Lisa Gonzalez. The five individuals drove to Witness [redacted] home in [redacted]. Upon their arrival, Subjects Titel and Richards became involved in a physical altercation with Witness [redacted], who was already at Witness [redacted] home, awaiting her arrival.

> **IAB Note:** Area Map of Witness [redacted] residence is included in this case book. See **Exhibit D**. Photographs of the scene are also included. See **Exhibit E** and the **Miscellaneous Documents** section of this case book.

The altercation caused several residents to telephone the San Dimas Sheriff's Station. Deputies arrived and subsequently wrote a battery report, naming both subjects as

"Victims," and Witness [redacted] as the "Suspect."

**IAB Note:** A copy of the Incident Report is included in this case book. **See Exhibit J, Page 19.** Audio recordings of the telephone calls and radio traffic are also included. See **Exhibit G**.

After additional investigation by the San Dimas Station detectives, it was determined that Witness [redacted] injuries were substantial. The injuries were also inconsistent with what the subjects said they had done during the incident. Based on the additional investigation, it appeared that Subjects Titel and Richards were the aggressors during the incident.

**IAB Note:** Witness [redacted] sustained multiple contusions, bruises, and abrasions to his face, upper torso and legs. Photographs of Witness [redacted] injuries are included in this case book. See **Exhibit F**, and **Exhibit J, Pages 26-31**. Pomona Valley Hospital's Emergency Room Doctor, Matthew Janssen, described Witness [redacted] injuries during his Grand Jury testimony. See **Volume II** of this case book, **Page 262.**

Investigators from the Internal Criminal Investigations Bureau (ICIB) completed the investigation. Both subjects declined to speak with ICIB investigators **(refer to Exhibit J, Pages 13 and 14)**. The investigators submitted their case to the District Attorney's Office for filing consideration regarding an assault by means likely to produce great bodily injury, Penal Code Section 245(a)(1), a felony. The case was subsequently presented by the Justice System Integrity Division of the District Attorney's Office to the Los Angeles County Grand Jury.

**IAB Note:** The Internal Criminal Investigation Bureau's complete case book is included in this report. See **Exhibit J**. The Grand Jury witness transcripts are also included. See **Volume II** of this case book.

On September 23, 2008, the Grand Jury issued an indictment against both subjects for the alleged crime. Both subjects were arraigned on September 30, 2008. On April 23, 2009, both subjects entered a plea of "Guilty" to misdemeanor assault.

**IAB Note:** Certified copies of the court minute orders are included in this case book. See **Exhibits B and C**. Verbatim transcripts of the Plea Hearing are also included, as well as the Plea Agreement Forms. See **Exhibits I and H**.

The Internal Affairs Bureau was requested to complete an administrative investigation regarding the matter.

***This is a summary based on statements given during audio recorded interviews by the subjects and witnesses, and Grand Jury testimonies. For complete and detailed statements refer to the digital audio recorded files and the verbatim transcripts, which are included in this investigation.***

**WITNESSES**

**Rivera, Jaime, Deputy Sheriff [redacted]**

Witness Rivera is a deputy sheriff assigned to the San Dimas Station. He was interviewed on June 27, 2007, by ICIB Sergeant Jim Sully. The interview was digitally audio recorded. Sergeant Sully summarized the interview in a supplementary report included in this case book (**Exhibit J, Page 2)**. For additional information refer to the verbatim transcript of Witness Rivera's Grand Jury testimony (**Volume II, Pages 276-306** ).

**IAB Note:** A copy of the Incident Details (Tag 8) is included in this report. See the **Miscellaneous Documents** section of this case book. Also, Witness Rivera authored the original Incident Report. A copy of that report is included in this case book, see **Exhibit J, Page 19.**

**Tucker, Judd, Deputy Sheriff [redacted]**

Witness Tucker is a deputy sheriff assigned to the San Dimas Station. He was interviewed on June 27, 2007, by ICIB Sergeant Jim Sully. The interview was digitally audio recorded. Sergeant Sully summarized the interview in a supplementary report included in this case book. **Exhibit J, Page 4**. For additional information refer to the verbatim transcript of Witness Tucker's Grand Jury testimony (**Volume II, Pages 245-259**).

**[redacted] MW/32**

Witness [redacted] is a 36 year old male, employed by the [redacted] He was interviewed on June 27, 2007, by ICIB Sergeant Jim Sully. The interview was digitally audio recorded. Sergeant Sully summarized the interview in a supplementary report included in this case book **(Exhibit J, Page 5)**. For additional information refer to the verbatim transcript of Witness [redacted] Grand Jury testimony (**Volume II, Pages 168-204**).

**[redacted], Deputy Sheriff [redacted]**

Witness [redacted] is a deputy sheriff assigned to the Inmate Reception Center. She was interviewed on June 27, 2007, by ICIB Sergeant Jim Sully. The interview was digitally audio recorded. Sergeant Sully summarized the interview in a supplementary report included in this case book (**Exhibit J, Page 6)**. For additional information refer to the

verbatim transcript of Witness [redacted] Grand Jury testimony (**Volume II, Pages 205-243**).

[redacted]

Witness [redacted] resides at [redacted] in the city of [redacted] He is a [redacted] of Witness [redacted]. He was interviewed on June 27, 2007, by ICIB Sergeant Jim Sully. The interview was digitally audio recorded. Sergeant Sully summarized the interview in a supplementary report included in this case book **(Exhibit J, Page 9)**. For additional information refer to the verbatim transcript of Witness [redacted] Grand Jury testimony (**Volume II, Pages 19-39**).

[redacted]

Witness [redacted] resides at [redacted] in the city of [redacted]. He is a [redacted] of Witness [redacted] He was interviewed on June 28, 2007, by ICIB Sergeant Jim Sully. The interview was digitally audio recorded. Sergeant Sully summarized the interview in a supplementary report included in this case book (**Exhibit J, Page 10**). For additional information refer to the verbatim transcript of Witness [redacted] Grand Jury testimony (**Volume II, Pages 41-65**).

[redacted]

Witness [redacted] resides at [redacted] in the city of [redacted]. She is Witness [redacted] and a [redacted] of Witness [redacted]. She was interviewed on June 28, 2007, by ICIB Sergeant Jim Sully. The interview was digitally audio recorded. Sergeant Sully summarized the interview in a supplementary report included in this case book (**Exhibit J, Page 10**). For additional information refer to the verbatim transcript of Witness [redacted] Grand Jury testimony (**Volume II, Pages 66-78**).

**Gonzalez, Liza, Sergeant** [redacted]

Witness Gonzalez is a sergeant assigned to the Norwalk Sheriff's Station. At the time of the incident she was Subject Richards' [redacted]. She was interviewed on July 3, 2007, by ICIB Sergeants Jim Sully and Susan Vaziri. The interview was digitally audio recorded. Sergeant Sully summarized the interview in a supplementary report included in this case book (**Exhibit J, Page 12**). For additional information refer to the verbatim transcript of Witness Gonzalez' Grand Jury testimony (**Volume II, Pages 410-414 and 441-544**).

**IAB Note:** A Compact Disk, containing a surveillance camera recording from the "Circle K" store, is included in this case book. See **Exhibit M**. Witness Gonzalez and Witness [redacted] are seen in the recording, entering the "Circle K," and making a purchase.

**[redacted] Deputy Sheriff [redacted]**

Witness [redacted] is a deputy sheriff assigned to the Inmate Reception Center. She was interviewed on July 3, 2007, by ICIB Sergeants Jim Sully and Susan Vaziri. The interview was digitally audio recorded. Sergeant Sully summarized the interview in a supplementary report included in this case book (**Exhibit J, Page 13**). For additional information refer to the verbatim transcript of Witness [redacted] Grand Jury testimony (**Volume II, 404-408 and 545-603**).

[redacted]

Witness [redacted] is a [redacted] who resides at [redacted], [redacted]. He is a [redacted] of Witness [redacted] He was interviewed on July 11, 2007, by ICIB Sergeant Jim Sully. The interview was digitally audio recorded. Sergeant Sully summarized the interview in a supplementary report included in this case book (**Exhibit J, Page 15**). For additional information refer to the verbatim transcript of Witness [redacted] Grand Jury testimony (**Volume II, Pages 98-112**).

[redacted]

Witness [redacted] resides at [redacted] She is Witness [redacted], and a [redacted] of Witness [redacted]. She was interviewed on July 11, 2007, by ICIB Sergeant Jim Sully. The interview was digitally audio recorded. Sergeant Sully summarized the interview in a supplementary report included in this case book (**Exhibit J, Page 16**). For additional information refer to the verbatim transcript of Witness [redacted] Grand Jury testimony (**Volume II, Pages 113-119**).

**[redacted] Lieutenant [redacted]**

Witness [redacted] is a captain assigned to the [redacted] At the time of the incident she was a lieutenant assigned to the Inmate Reception Center. She was interviewed on January 18, 2008, by ICIB Sergeant Jim Sully. The interview was digitally audio recorded. Sergeant Sully summarized the interview in a supplementary report included in this case book (**Exhibit L**). For additional information refer to the verbatim transcript of Witness [redacted] Grand Jury testimony (**Volume II, Pages 133-150**).

**[redacted] Sergeant [redacted]**

Witness [redacted] is a sergeant assigned to the Inmate Reception Center. She was interviewed on January 31, 2008, by ICIB Sergeant Jim Sully. The interview was digitally audio recorded. Sergeant Sully summarized the interview in a supplementary report included in this case book (**Exhibit K**). For additional information refer to the verbatim

transcript of Witness [redacted] Grand Jury testimony (**Volume II, Pages 151-165**).

**IAB Note:** In addition to those interviewed by Sheriff's Department investigators, other witnesses testified before the Grand Jury and their testimony is located in **Volume II** of this case book.

## SUBJECT INTERVIEWS

### Richards, Brian, Deputy Sheriff [redacted]

Subject Richards was interviewed by Internal Affairs Bureau Sergeants Carlos Flores and Eric Strong on July 16, 2009, at 1015 hours. The interview was conducted at the Internal Affairs Bureau and was digitally audio recorded. Subject Richards was represented by Green and Shinee Attorney Liz Gibbons. For additional information, refer to Subject Richards' verbatim interview transcript in this case book.

**IAB Note:** During his interview Subject Richards was shown several photographs. The photographs are included in this case book. See the **Miscellaneous Documents** section of this case book.

### Titel, Joshua, Deputy Sheriff [redacted]

Subject Titel was interviewed by Internal Affairs Bureau Sergeants Carlos Flores and Eric Strong on July 21, 2009, at 1005 hours. The interview was conducted at the Internal Affairs Bureau and was digitally audio recorded. Subject Titel was represented by Green and Shinee Attorney Liz Gibbons. For additional information, refer to Subject Titel's verbatim interview transcript in this case book.

**IAB Note:** During his interview Subject Titel was shown several photographs. The photographs are included in this case book. See the **Miscellaneous Documents** section of this case book.



Leroy D. Baca, Sheriff

*County of Los Angeles*
**Sheriff's Department Headquarters**
*4700 Ramona Boulevard*
*Monterey Park, California 91754-2169*



January 20, 2010

Deputy Brian Richards, #[redacted]

Dear Deputy Richards:

You are hereby notified that it is the intention of the Sheriff's Department to discharge you from your position of Deputy Sheriff, Item No. 2708A, with this Department, effective the close of business February 10, 2010.

An investigation under File Number IAB 2201528, conducted by Internal Affairs Bureau, coupled with your own statements, has established the following:

1. That in violation of Manual of Policy and Procedures Sections 3-01/030.05, General Behavior and/or 3-01/030.10, Obedience to Laws, Regulations and Orders, on or about June 24, 2007, while off duty and intoxicated, you committed a violent assault against Mr. [redacted] an off-duty [redacted] while outside Deputy [redacted] home in the City of [redacted] On September 23, 2008, one (1) Felony count of 245(a)(1) P.C., Assault by Means Likely to Produce Great Bodily Injury, was filed against you in Los Angeles County Superior Court. On April 23, 2009, you pled guilty to Misdemeanor 242 P.C., Battery. By your actions, you have brought discredit upon yourself and the Sheriff's Department.

On or about June 24, 2007, you attended two off-duty parties wherein you consumed alcohol. After leaving the second party, you and Deputy Joshua Titel and Deputy Titel's then [redacted] Deputy [redacted] drove from the party to Deputy [redacted] home in [redacted] While en route to Deputy [redacted] home, Deputy Titel and Deputy [redacted] became involved in a heated argument. Deputy [redacted] told Deputy Titel that she was going to [redacted] with him and planned to continue her [redacted] with Mr. [redacted] a [redacted] who was also the [redacted] of [redacted] of her [redacted] with whom she had an [redacted] for approximately ten years. During the drive

to Deputy [redacted] home, Deputy [redacted] informed Deputy Titel that [redacted] was waiting for her at her residence. Upon arriving at Deputy [redacted] home, you behaved in an inappropriate manner whereupon you violated the following sections of the Manual of Policy and Procedures:

2. That in violation of Manual of Policy and Procedures Sections 3-01/030.05, General Behavior; and/or 3-01/030.06, Disorderly Conduct; and/or 3-01/000.10, Professional Conduct; and/or 3-01/030.15, Conduct Toward Others, on or about June 24, 2007, after attending two off-duty parties wherein you consumed alcohol, you went to the home of Deputy [redacted] whereupon you and Subject Joshua Titel committed a violent assault against Mr. [redacted] an off-duty [redacted] who is the [redacted] of one of Deputy [redacted] as evidenced by, but not limited to:

   a) kicking and/or punching [redacted] multiple times while he was lying motionless on the ground, and/or;

   b) continuing to kick and/or hit [redacted] even after Deputy [redacted] laid on top of [redacted] to protect him from the assault, causing injury to Deputy [redacted].

   Your actions resulted in [redacted] sustaining multiple injuries necessitating that he be transported to a hospital via paramedics. Your actions of assaulting Mr. [redacted] while off duty and intoxicated are in direct conflict with this Department's Core Values, Mission and Creed and as a deputy sheriff, they simply cannot be tolerated. Thus, you have brought discredit and embarrassment upon yourself and the Los Angeles County Sheriff's Department.

3. That in violation of Manual of Policy and Procedures Section 3-01/040.75, Failure to Make Statements and/or Making False Statements During an Internal Investigation, on or about July 16, 2009, during your subject interview, you made false and/or misleading statements to investigators, including but not limited to:

   a) that you did not continue hitting and/or kicking [redacted] after he was lying motionless on the ground, and/or

   b) that you were only kicking him in order to redirect [redacted] kicks, and/or;

c) that you did not see Subject Joshua Titel hitting and/or kicking [redacted] after he [[redacted] was lying motionless on the ground, and/or;

d) that you did not see Subject Joshua Titel kick and/or hit Deputy [redacted] after she laid on top of [redacted] to protect him from the assault, and/or;

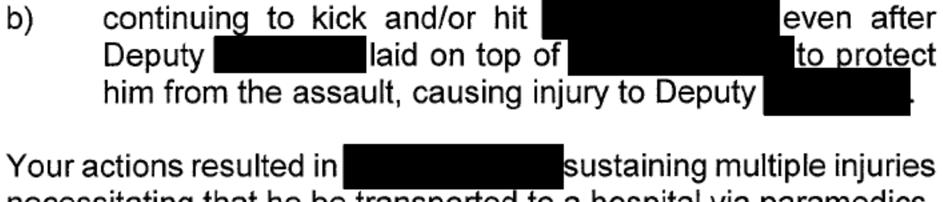
e) that Sergeant Liza Gonzalez and Deputy [redacted] were not present during the incident.

Even given your version of events concerning this incident, that [redacted] attacked Deputy Titel for no reason and knocked him to the ground, your conduct warrants termination of your employment with the Los Angeles County Sheriff's Department, as evidenced by, but not limited to, the following sections of the Manual of Policy and Procedures:

1. That in violation of Manual of Policy and Procedures Sections 3-01/030.05, General Behavior and/or 3-01/030.10, Obedience to Laws, Regulations and Orders, on or about June 24, 2007, while off duty and intoxicated, you committed a violent assault against Mr. [redacted] while outside Deputy [redacted] home in the City of [redacted] On September 23, 2008, one (1) Felony count of 245(a)(1) P.C., Assault by Means Likely to Produce Great Bodily Injury, was filed against you in Los Angeles County Superior Court. On April 23, 2009, you pled guilty to Misdemeanor 242 P.C., Battery. By your actions, you have brought discredit upon yourself and the Sheriff's Department.

2. That in violation of Manual of Policy and Procedures Sections 3-01/030.05, General Behavior; and/or 3-01/030.06, Disorderly Conduct; and/or 3-01/000.10, Professional Conduct; and/or 3-01/030.15, Conduct Toward Others, on or about June 24, 2007, after attending two off-duty parties wherein you consumed alcohol, you went to the home of Deputy [redacted] whereupon you and Subject Joshua Titel committed a violent assault against Mr. [redacted] an off-duty [redacted] who is the [redacted] of one of Deputy [redacted] as evidenced by, but not limited to:

   a) kicking and/or punching [redacted] multiple times while he was lying motionless on the ground, and/or;



b) continuing to kick and/or hit [redacted] even after Deputy [redacted] laid on top of [redacted] to protect him from the assault, causing injury to Deputy [redacted].

Your actions resulted in [redacted] sustaining multiple injuries necessitating that he be transported to a hospital via paramedics. Your actions of assaulting Mr. [redacted] while off duty and intoxicated are in direct conflict with this Department's Core Values, Mission and Creed and as a deputy sheriff, they simply cannot be tolerated. Thus, you have brought discredit and embarrassment upon yourself and the Los Angeles County Sheriff's Department.

Even given your version of events concerning this incident, that [redacted] attacked Deputy Titel for no reason and knocked him to the ground, you were untruthful when questioned during the investigation, as evidenced by, but not limited to, the following:

3. That in violation of Manual of Policy and Procedures Section 3-01/040.75, Failure to Make Statements and/or Making False Statements During an Internal Investigation, on or about July 16, 2009, during your subject interview, you made false and/or misleading statements to investigators, including but not limited to:

   a) that you did not continue hitting and/or kicking [redacted] after he was lying motionless on the ground, and/or

   b) that you were only kicking him in order to redirect [redacted] kicks, and/or;

   c) that you did not see Subject Joshua Titel hitting and/or kicking [redacted] after he [[redacted] was lying motionless on the ground, and/or;

   d) that you did not see Subject Joshua Titel kick and/or hit Deputy [redacted] after she laid on top of [redacted] to protect him from the assault, and/or;

   e) that Sergeant Liza Gonzalez and Deputy [redacted] were not present during the incident.

You may respond to the intended action orally or in writing. In the event that you choose to respond orally to these charges, you have already been scheduled to meet with Chief Alexander Yim on February 4, 2010, at 1030 hours, in his office, which is located at Twin

Towers Correctional Facility, 450 Bauchet Street, Los Angeles, Room E826. If you are unable to appear at the scheduled time and wish to schedule some other time prior to February 4, 2010, for your oral response, please call Chief Yim's secretary at [redacted] for an appointment.

If you choose to respond in writing, please call Chief Yim's secretary to cancel your scheduled appointment, and send your response to the facts contained in this letter to Chief Yim's office by no later than February 4, 2010.

Unless you are currently on some other type of authorized leave, pursuant to Rule 16.01 of the Los Angeles County Civil Service Commission Rules, effective immediately, you are on paid administrative leave which will continue during the fifteen (15) business days you have to respond to the intended discharge or until the conclusion of your pre-disciplinary hearing. If you are presently on an authorized leave, that leave will continue during the fifteen (15) business days you have to respond to the intended discharge, or until the conclusion of your pre-disciplinary hearing.

Failure to respond to this Letter of Intent within fifteen (15) business days will be considered a waiver of your right to respond and will result in the imposition of the discipline indicated herein.

If you did not receive the investigative material on which your discipline is based at the time you were served with this correspondence, you may contact the Internal Affairs Bureau at (323) 890-5300, to obtain a copy of the case file.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

LEROY D. BACA, SHERIFF

Karyn Mannis

Karyn Mannis, Captain
Internal Affairs Bureau

Note: Attached for your convenience are excerpts of the applicable areas of the Manual of Policy and Procedures.

KM:lh

c: Advocacy Unit
Employee Relations Unit
Chief Alexander Yim, Correctional Services Division
Internal Affairs Bureau
Office of Independent Review (OIR)
(File #2201528)




# SETTLEMENT AGREEMENT

## PRELIMINARY STATEMENT

This agreement is entered into between the Los Angeles County Sheriff's Department (hereinafter referred to as "Department") and Brian Richards, Deputy Sheriff, Employee No. [redacted] (hereinafter referred to as "Deputy Richards."

## RECITALS

The Department and Deputy Richards are interested parties in the investigation under Internal Affairs Bureau No. 2201528. Both desire to resolve all disputes arising as the result of that investigation, to avoid litigation and further administrative process upon the terms and conditions hereinafter set forth.

WHEREAS this Agreement is made and entered into by and between the Department and Deputy Richards and is made in light of the following:

1. On September 23, 2008, one (1) Felony County of 245(a)(1) P.C., Assault by Means Likely to Produce Great Bodily Injury was filed against him in Los Angeles Superior Court.
2. On April 23, 2009, Deputy Richards pled guilty to Misdemeanor 242 P.C., Battery.

NOW THEREFORE, the Department and Deputy Richards for and in consideration of the mutual covenants herein, agree as follow:

1. Upon execution of this agreement, Deputy Richards agrees and understands that he is not entitled to any back pay covering the period of his Rule 18.01 suspension from November 19, 2008 through April 30, 2009.
2. The Department, upon execution of this agreement, will issue Deputy Richards a Letter of Imposition for a thirty (30) day suspension. The charges in the Letter of Imposition will remain the same as in the January 20, 2010 Letter of Intent served on Deputy Richards.
3. The thirty (30) day suspension will commence on the effective date of this agreement and will continue for the next 30 days.
4. Upon execution of this agreement, Deputy Richards will be assigned to Correctional Services Division, Inmate Reception Center.

**SETTLEMENT AGREEMENT**
**DEPUTY BRIAN RICHARDS, #[redacted]**

5. Moreover, Deputy Richards agrees to waive all rights in IAB Case Number 2201528 pursuant to Skelly v. State Personnel Board (1975) 15 Cal.3d 194 Cal.Rptr. 14.

6. Deputy Richards, upon execution of this Agreement, shall withdraw CSC Case No. 08-04086 (18.01 Suspension) within 10 days of the execution of this agreement and Deputy Richards agrees to waive any and all further administrative or judicial remedies with respect to the matter stated herein, including but not limited to the Los Angeles County Civil Service Commission or the Los Angeles County Employee Relations Commission and/or any court of law.

7. The parties further agree that this settlement shall not be considered, cited or used in any future dispute between the Department and any other department employee for the purpose of establishing precedent or past employment practice. This Agreement resolves the dispute between Deputy Richards and the Department, and its terms are not to be applied to any other facts or disputes between the Department and any other employee.

8. The parties further acknowledge and agree that the terms and provisions of this Agreement are subject to all applicable confidentiality provisions contained in California Penal Code section 832.7.

9. Notwithstanding the provisions of paragraphs 7 and 8, the parties acknowledge and agree that the terms and provisions of this Agreement may be admitted in any hearing or other proceeding involving a dispute between the Department and any other Department member named as a Subject in the above-referenced Internal Affairs Bureau investigation (No. 2201528) stemming from disciplinary action imposed for policy violations arising out of the incident investigated therein. Moreover, Deputy Richards agrees to testify fully and truthfully if called as a witness in any future administrative hearing in which Department members contest discipline imposed as a result of their actions arising out of or relating to this investigation.

10. Deputy Richards promises, warrants and represents that he shall not disclose or offer to disclose, and have not disclosed privately or publicly, any of the terms or provisions of this Agreement or the negotiations leading to this Agreement to any person or entity, or any statistical use of the terms and provisions of this Agreement, including but not limited to any member of the print, electronic or other media.

11. Deputy Richards specifically acknowledges that he has not been the subject of discrimination in any form, including but not limited to discrimination based upon age, race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status or sex, and that he has no claim against the Department for any such discrimination, whether any such claim is presently known or not known to him.

**SETTLEMENT AGREEMENT**
**DEPUTY BRIAN RICHARDS, #[redacted]**

12. The parties agree that this Agreement may be specifically enforced in court and may be used as evidence in a subsequent proceeding in which any of the parties allege a breach of this Agreement.

13. This agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. A photocopy of facsimile transmission of the agreement, including signatures, shall be deemed to constitute evidence of the agreement having been executed.

14. The date of the last signature placed hereon shall hereinafter be known as the "date of execution" and the effective date" of this agreement.

15. The parties agree that this is the complete settlement agreement and that no other promises have been made by either party. The parties further agree that no changes may be made to this settlement agreement unless both parties reduce the changes to writing and sign them.

16. Each party hereto represents and agrees that he or it has carefully read and fully understands all of the provisions of the Agreement, and that he or it is voluntarily, without any duress or undue influence on the part of or on behalf of any party, entering into this Agreement.

I have read the forgoing Settlement Agreement and I accept and agree to the provisions contained therein and hereby execute it voluntarily and with full understanding of its consequences. I further acknowledge that I have been afforded the opportunity to consult with legal counsel prior to signing this agreement.

[signature] 06.11.2010

Deputy Brian Richards, #[redacted] Date

AS TO FORM ONLY:

Charles Goldwasser, Attorney Date

**SETTLEMENT AGREEMENT**
**DEPUTY BRIAN RICHARDS, #[redacted]**

12. The parties agree that this Agreement may be specifically enforced in court and may be used as evidence in a subsequent proceeding in which any of the parties allege a breach of this Agreement.

13. This agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. A photocopy of facsimile transmission of the agreement, including signatures, shall be deemed to constitute evidence of the agreement having been executed.

14. The date of the last signature placed hereon shall hereinafter be known as the "date of execution" and the effective date" of this agreement.

15. The parties agree that this is the complete settlement agreement and that no other promises have been made by either party. The parties further agree that no changes may be made to this settlement agreement unless both parties reduce the changes to writing and sign them.

16. Each party hereto represents and agrees that he or it has carefully read and fully understands all of the provisions of the Agreement, and that he or it is voluntarily, without any duress or undue influence on the part of or on behalf of any party, entering into this Agreement.

I have read the forgoing Settlement Agreement and I accept and agree to the provisions contained therein and hereby execute it voluntarily and with full understanding of its consequences. I further acknowledge that I have been afforded the opportunity to consult with legal counsel prior to signing this agreement.

Deputy Brian Richards, #[redacted] Date

AS TO FORM ONLY:

Charles Goldwasser, Esq. 6/11/10

**SETTLEMENT AGREEMENT**
**DEPUTY BRIAN RICHARDS, #[redacted]**

**FOR THE DEPARTMENT:**

ALEXANDER R. YIM, CHIEF
CORRECTIONAL SERVICES DIVISION

Date 6/21/10



Leroy D. Baca, Sheriff

*County of Los Angeles*
**Sheriff's Department Headquarters**
*4700 Ramona Boulevard*
*Monterey Park, California 91754-2169*



June 28, 2010

Deputy Brian Richards, #[redacted]
[redacted]

Dear Deputy Richards:

On January 20, 2010, you were served with a Letter of Intention, indicating your right to respond to the Sheriff's Department's pending disciplinary action against you, as reported under IAB File Number 2201528. You were also advised of your right to review the material on which the discipline was based.

You did exercise your right to respond. After reviewing the response submitted to support your position, the Department executives have amended the recommended discipline.

You are hereby notified that pursuant to a settlement agreement dated June 21, 2010, you are suspended without pay from your position of Deputy Sheriff, Item No. 2708A, with this Department for a period of thirty (30) days, effective June 21, 2010 through July 20, 2010.

An investigation under File Number IAB 2201528, conducted by Internal Affairs Bureau, coupled with your own statements, has established the following:

1. That in violation of Manual of Policy and Procedures Sections 3-01/030.05, General Behavior and/or 3-01/030.10, Obedience to Laws, Regulations and Orders, on or about June 24, 2007, while off duty and intoxicated, you committed a violent assault against Mr. [redacted] an off-duty [redacted] while outside Deputy [redacted] home in the City of [redacted] On September 23, 2008, one (1) Felony count of 245(a)(1) P.C., Assault by Means Likely to Produce Great Bodily Injury, was filed against you in Los Angeles County Superior Court. On April 23, 2009, you pled guilty to Misdemeanor 242 P.C.,

Battery. By your actions, you have brought discredit upon yourself and the Sheriff's Department.

On or about June 24, 2007, you attended two off-duty parties wherein you consumed alcohol. After leaving the second party, you and Deputy Joshua Titel and Deputy Titel's then girlfriend, Deputy [redacted] drove from the party to Deputy [redacted] home in [redacted] While en route to Deputy [redacted] home, Deputy Titel and Deputy [redacted] became involved in a heated argument. Deputy [redacted] told Deputy Titel that she was going [redacted] and planned to continue her [redacted] with Mr. [redacted] a [redacted] who was also the [redacted] of one of her [redacted] with whom she had an [redacted] for approximately ten years. During the drive to Deputy [redacted] home, Deputy [redacted] informed Deputy Titel that [redacted] was waiting for her at her residence. Upon arriving at Deputy [redacted] home, you behaved in an inappropriate manner whereupon you violated the following sections of the Manual of Policy and Procedures:

2. That in violation of Manual of Policy and Procedures Sections 3-01/030.05, General Behavior; and/or 3-01/030.06, Disorderly Conduct; and/or 3-01/000.10, Professional Conduct; and/or 3-01/030.15, Conduct Toward Others, on or about June 24, 2007, after attending two off-duty parties wherein you consumed alcohol, you went to the home of Deputy [redacted] whereupon you and Subject Joshua Titel committed a violent assault against Mr. [redacted] an off-duty [redacted] who is the [redacted] of one of Deputy [redacted] as evidenced by, but not limited to:

    a) kicking and/or punching [redacted] multiple times while he was lying motionless on the ground, and/or;

    b) continuing to kick and/or hit [redacted] even after Deputy [redacted] laid on top of [redacted] to protect him from the assault, causing injury to Deputy [redacted]

    Your actions resulted in [redacted] sustaining multiple injuries necessitating that he be transported to a hospital via paramedics. Your actions of assaulting Mr. [redacted] while off duty and intoxicated are in direct conflict with this Department's Core Values, Mission and Creed and as a deputy sheriff, they simply cannot be tolerated. Thus, you have brought discredit and embarrassment upon yourself and the Los Angeles County Sheriff's Department.

3. That in violation of Manual of Policy and Procedures Section 3-01/040.75, Failure to Make Statements and/or Making False Statements During an Internal Investigation, on or about July 16, 2009, during your subject interview, you made false and/or misleading statements to investigators, including but not limited to:

   a) that you did not continue hitting and/or kicking [redacted] after he was lying motionless on the ground, and/or

   b) that you were only kicking him in order to redirect [redacted] kicks, and/or;

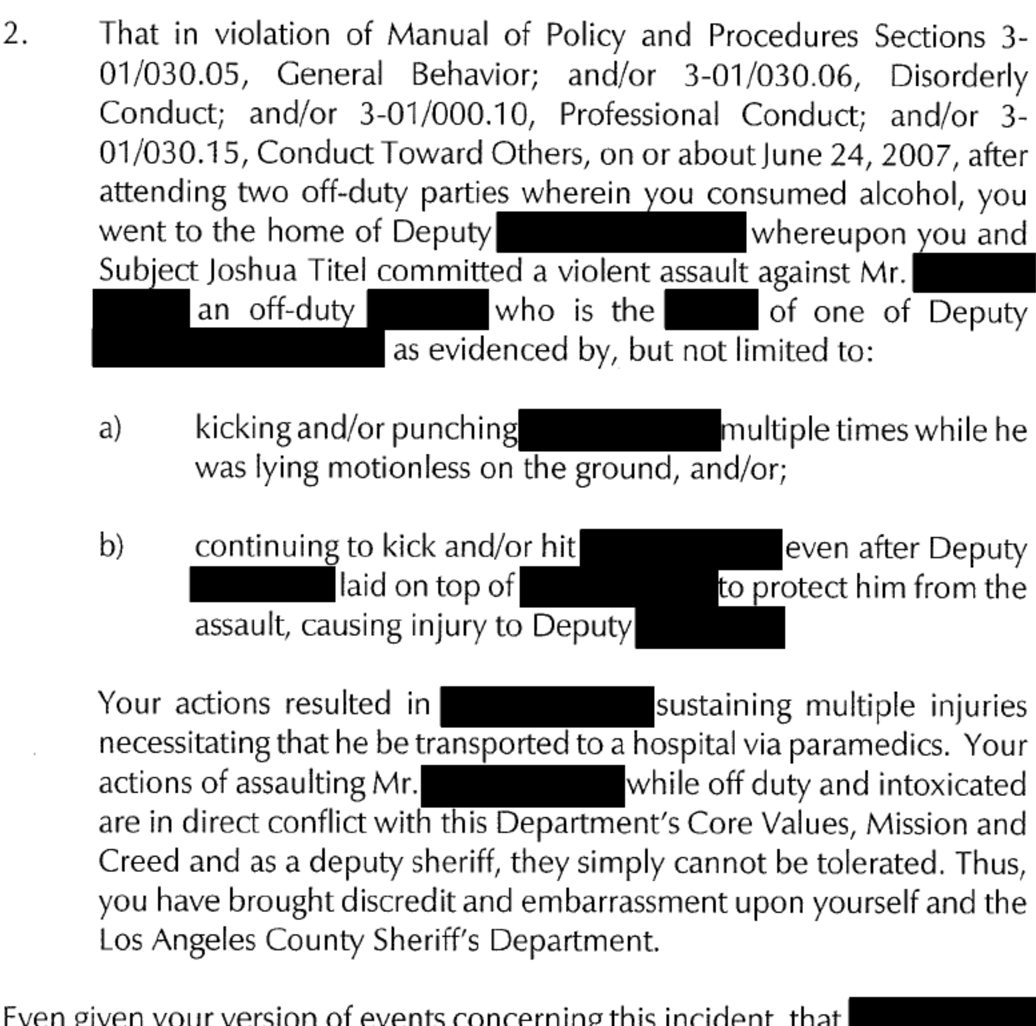
   c) that you did not see Subject Joshua Titel hitting and/or kicking [redacted] after he [redacted] was lying motionless on the ground, and/or;

   d) that you did not see Subject Joshua Titel kick and/or hit Deputy [redacted] after she laid on top of [redacted] to protect him from the assault, and/or;

   e) that Sergeant Liza Gonzalez and Deputy [redacted] were not present during the incident.

Even given your version of events concerning this incident, that [redacted] attacked Deputy Titel for no reason and knocked him to the ground, your conduct warrants termination of your employment with the Los Angeles County Sheriff's Department, as evidenced by, but not limited to, the following sections of the Manual of Policy and Procedures:

1. That in violation of Manual of Policy and Procedures Sections 3-01/030.05, General Behavior and/or 3-01/030.10, Obedience to Laws, Regulations and Orders, on or about June 24, 2007, while off duty and intoxicated, you committed a violent assault against Mr. [redacted] while outside Deputy [redacted] home in the City of [redacted] On September 23, 2008, one (1) Felony count of 245(a)(1) P.C., Assault by Means Likely to Produce Great Bodily Injury, was filed against you in Los Angeles County Superior Court. On April 23, 2009, you pled guilty to Misdemeanor 242 P.C., Battery. By your actions, you have brought discredit upon yourself and the Sheriff's Department.



2. That in violation of Manual of Policy and Procedures Sections 3-01/030.05, General Behavior; and/or 3-01/030.06, Disorderly Conduct; and/or 3-01/000.10, Professional Conduct; and/or 3-01/030.15, Conduct Toward Others, on or about June 24, 2007, after attending two off-duty parties wherein you consumed alcohol, you went to the home of Deputy [redacted] whereupon you and Subject Joshua Titel committed a violent assault against Mr. [redacted] an off-duty [redacted] who is the [redacted] of one of Deputy [redacted] as evidenced by, but not limited to:

   a) kicking and/or punching [redacted] multiple times while he was lying motionless on the ground, and/or;

   b) continuing to kick and/or hit [redacted] even after Deputy [redacted] laid on top of [redacted] to protect him from the assault, causing injury to Deputy [redacted]

   Your actions resulted in [redacted] sustaining multiple injuries necessitating that he be transported to a hospital via paramedics. Your actions of assaulting Mr. [redacted] while off duty and intoxicated are in direct conflict with this Department's Core Values, Mission and Creed and as a deputy sheriff, they simply cannot be tolerated. Thus, you have brought discredit and embarrassment upon yourself and the Los Angeles County Sheriff's Department.

Even given your version of events concerning this incident, that [redacted] attacked Deputy Titel for no reason and knocked him to the ground, you were untruthful when questioned during the investigation, as evidenced by, but not limited to, the following:

3. That in violation of Manual of Policy and Procedures Section 3-01/040.75, Failure to Make Statements and/or Making False Statements During an Internal Investigation, on or about July 16, 2009, during your subject interview, you made false and/or misleading statements to investigators, including but not limited to:

   a) that you did not continue hitting and/or kicking [redacted] after he was lying motionless on the ground, and/or

   b) that you were only kicking him in order to redirect [redacted] kicks, and/or;

c) that you did not see Subject Joshua Titel hitting and/or kicking [redacted] after he [[redacted]] was lying motionless on the ground, and/or;

d) that you did not see Subject Joshua Titel kick and/or hit Deputy [redacted] after she laid on top of [redacted] to protect him from the assault, and/or;

e) that Sergeant Liza Gonzalez and Deputy [redacted] were not present during the incident.

In taking this disciplinary action, your record with this Department has been considered, and a thorough review of this incident has been made by Department executives, including your Unit and Division Commanders.

You will hereby take notice that any future acts of misconduct may result in more severe disciplinary action.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

LEROY D. BACA, SHERIFF

***Original Signed***

Karyn Mannis, Captain
Internal Affairs Bureau

Note: Attached for your convenience are excerpts of the applicable areas of the Manual of Policy and Procedures and Civil Service Rules.

KM:lh

c: Advocacy Unit
Employee Relations Unit
Chief Alex Yim, Correctional Services Division
Internal Affairs Bureau
Personnel Administration
Office of Independent Review (OIR)
IRC/Unit Personnel File